

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:

GUANTANAMO BAY DETAINEE
LITIGATION

Misc. No. 08-mc-0442 (TFH)

Civil Action No. ■-cv-■(■)

ORDER

Pending before the Court are Petitioner's (1) ■ Motion For A Temporary Restraining Order Enjoining Transfer Of Petitioner To ■ ("Injunction Motion") and (2) Motion ■

■. For the reasons given during the telephonic hearing held on ■, the Court

ORDERS that Petitioner's Injunction Motion is **GRANTED**. Specifically, finding it necessary to protect its jurisdiction over Petitioner's petition for a writ of habeas corpus, pursuant to its remedial authority under the All Writs Act, 28 U.S.C. § 1651, *see Belbacha v. Bush*, 520 F.3d 452 (D.C. Cir. 2008) (holding that, notwithstanding Section § 7(a)(2) of the Military Commissions Act of 2006, district court has authority under 28 U.S.C. § 1651 to enjoin transfer to protect its jurisdiction to determine the constitutionality of § 7(a)), the Court temporarily enjoins the government from transferring Petitioner from the United States Naval Base at Guantanamo Bay, Cuba, to ■ pending the United States Court of Appeals for the D.C. Circuit's decision in *Kiyemba v. Bush*, No. 05-5487 (consolidated with Nos. 05-5488, 05-5489, 05-5490, and 05-5492), which is set for oral argument on September 25, 2008. The Court further

ORDERS that Petitioner's Motion [REDACTED] is **GRANTED** in part and **DENIED** in part. Specifically, [REDACTED]

[REDACTED]

[REDACTED] the government is not prohibited from sharing information contained in such pleadings with representatives of [REDACTED].

SO ORDERED.

[REDACTED]

/s/
Thomas F. Hogan
United States District Judge